

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AMCO INSURANCE COMPANY,	:	CIVIL ACTION NO. 1:15-CV-53
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
BRIAN YOHE AND JILL YOHE,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 31st day of May, 2016, upon consideration of the motion (Doc. 26) *in limine* filed by plaintiff AMCO Insurance Company (“AMCO”) requesting that the court exclude from admission at trial any reference to or evidence of AMCO’s renewal of the insurance policy of defendants Brian and Jill Yohe (“the Yohes”) on the basis that said evidence is irrelevant to the instant litigation, (see Doc. 27), and further upon consideration of the Yohes’ brief (Doc. 31) in opposition wherein they contend that the policy renewal undermines AMCO’s contention that Jill Yohe set the subject fire, and the court observing that relevant evidence is that which has a tendency to make a fact of consequence in the matter “more or less probable than it would be without the evidence,” FED. R. EVID. 401, and that irrelevant evidence is inadmissible, FED. R. EVID. 402; see also Spain v. Gallegos, 26 F.3d 439, 452 (3d Cir. 1994), and it appearing that the crux of the litigation is whether Jill Yohe started the subject fire, and that AMCO has not denied the Yohes’ insurance claim because this question has heretofore remained unresolved, (see Docs. 27, 34), and the court thus finding the Yohes’ argument that

AMCO's policy renewal decision-making is revelatory of the cause of the fire unavailing, and that the issue of policy renewal has no logical bearing on the essential factual inquiry of whether Jill Yohe set the subject fire, and the court concluding that the policy renewal is irrelevant and therefore inadmissible, see FED. R. EVID. 401, 402, it is hereby ORDERED that the motion (Doc. 26) is GRANTED and that neither party shall be permitted to reference or utilize at trial the renewal of the Yohes' insurance policy.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania